

CITY COUNCIL
ATLANTA, GEORGIA

A RESOLUTION BY
TRANSPORTATION COMMITTEE

01-*R*-1598

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LOCAL GOVERNMENT LIGHTING PROJECT AGREEMENT BETWEEN THE CITY OF ATLANTA AND THE GEORGIA DEPARTMENT OF TRANSPORTATION FOR LIGHTING IMPROVEMENTS AT THE 17TH STREET EXTENSION AND RAMPS; AND FOR OTHER PURPOSES.

WHEREAS, the city of Atlanta has represented to the Georgia Department of Transportation a desire to obtain roadway lighting on the 17th Street Extension from West Peachtree Street to Atlantic Station and from Atlantic Station to Northside Drive at a new ramp from southbound I-85 to the 17th Street overpass and a new northbound ramp from I-75/85 currently described as Georgia Department of Transportation Project Numbers NH-7141-00(900), NH-001-00(297), and NH-001-00(298); and

WHEREAS, the Georgia Department of Transportation has requested that the city of Atlanta participate in the completion of the project by providing pre-construction engineering services for the project; and

WHEREAS, the Georgia Department of Transportation will construct the proposed improvements; and

WHEREAS, the Georgia Department of Transportation has requested that the city of Atlanta provide the energy and the continual operation and maintenance for the lighting system upon its completion.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1: That the Mayor be and is hereby authorized to enter into an appropriate Local Government Lighting Project Agreement for construction Lighting Improvements at the 17th Street Extension from West Peachtree Street to Atlantic Station and from Atlantic Station to Northside Drive at a new ramp from southbound I-85 to the 17th Street overpass and a new northbound ramp from I-75/85 currently described as Georgia Department of Transportation Project Numbers NH-7141-00(900), NH-001-00(297) and NH-001-00(298).

Section 2: That the City Attorney be and is hereby directed to prepare an appropriate contractual agreement in cooperation with the Department of Public Works, for execution by the Mayor, to be approved by the City Attorney as to form.

Section 3: That this agreement shall not become binding on the city of Atlanta and the city shall incur no liability upon same until such agreement has been executed by the Mayor and delivered to the Georgia Department of Transportation and countersigned by that Party.

OMC – Amendment Incorporated by tcp 10/23/01

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED as amended by the Council
APPROVED by the Mayor

OCT 15, 2001
OCT 23, 2001



AGREEMENT
BETWEEN
DEPARTMENT OF TRANSPORTATION
STATE OF GEORGIA
AND
ATLANTA, GEORGIA

This Agreement is made and entered into this _____ day of _____, 2____, by and between the DEPARTMENT OF TRANSPORTATION, an agency of the State of Georgia, hereinafter called the DEPARTMENT, and ATLANTA, GEORGIA, acting by and through its City Counsel, hereinafter called the CITY.

WHEREAS, the CITY has represented to the DEPARTMENT a desire to obtain Roadway Lighting on the 17th Street Extension from West Peachtree Street to Atlantic Station and from Atlantic Station to Northside Drive, at a new ramp from Southbound I-85 to the 17th Street overpass and a new Northbound ramp from I-75/I-85. in Atlanta, Georgia; and

WHEREAS, the CITY has represented to the DEPARTMENT a desire to participate in: 1.) The Design 2.) Providing energy, and 3.) The operation and maintenance of said lighting systems at the aforesaid locations, and the DEPARTMENT has relied upon such representation; an

WHEREAS, the DEPARTMENT has indicated a willingness to fund the materials and installation for the said lighting systems at the aforesaid locations, with funds of the DEPARTMENT, funds apportioned to the DEPARTMENT by the Federal Highway Administration under Title 23, United States Code, Section 104, or a combination of funds from any of the above sources.

NOW, THEREFORE, in consideration of the mutual promises made and of the benefits to flow from one to the other, the DEPARTMENT and the CITY hereby agree each with the other as follows:

1. The DEPARTMENT or its assigns shall cause the installation of all materials and equipment necessary for the Roadway Lighting on the 17th Street Extension from West Peachtree Street to Atlantic Station and from Atlantic Station to Northside Drive, at a new Ramp from Southbound I-85 to the 17th Street overpass and a new Northbound Ramp from I-75/I-85, as shown on Attachments "A1" and "A2" attached hereto, and made a part hereof.

2. Upon completion of said lighting system, and acceptance by the DEPARTMENT, the CITY shall assume full responsibility for the operation and maintenance of the entire lighting system, including but not limited to replacement of lamps, ballasts, luminaries, lighting structures, associated equipment, conduit, wiring and service equipment. The CITY further agrees to pay for all energy required for the operation of said lighting system.

3. The CITY, in its operation and maintenance of the lighting system, shall not in any way alter the type or location of any of the various components which make up the entire lighting system without prior written approval from the DEPARTMENT.

4. This Agreement is considered as continuing for a period of fifty (50) years from the date of execution of this Agreement. The DEPARTMENT reserves the right to terminate this Agreement, at any time for just cause, upon thirty (30) days written notice to the CITY.

5. It is understood by the City that the DEPARTMENT has relied upon the CITY'S representation of providing for the energy, maintenance, and operation of the lights represented by this Agreement, therefore, if the CITY elects to de-energize or fails to properly maintain the lighting system during the term of this Agreement, the CITY must reimburse the DEPARTMENT the materials and installation costs for the lighting system. If the CITY elects to de-energize or fails to properly maintain any individual unit within the lighting system, the CITY must reimburse the DEPARTMENT for the material and installation cost for the individual unit which will include all costs for the pole, luminaries, foundations, and associated wiring. The DEPARTMENT will provide the CITY with a statement of material costs upon completion of the installation.

The covenants herein contained shall, except as otherwise provided accrue to the benefit of and be binding upon the successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement the day and year first above written.

RECOMMENDED:

ATLANTA, GEORGIA

James A. Kennerly
State Road & Airport Design Engineer

BY _____
MAYOR

Thomas L. Turner, P.E.
Director, Pre-Construction

(SEAL)

Frank Danchetz, P.E.,
Chief Engineer

DEPARTMENT OF TRANSPORTATION

WITNESS

BY _____
J. Tom Coleman, Jr., Commissioner

Notary Public

(SEAL)

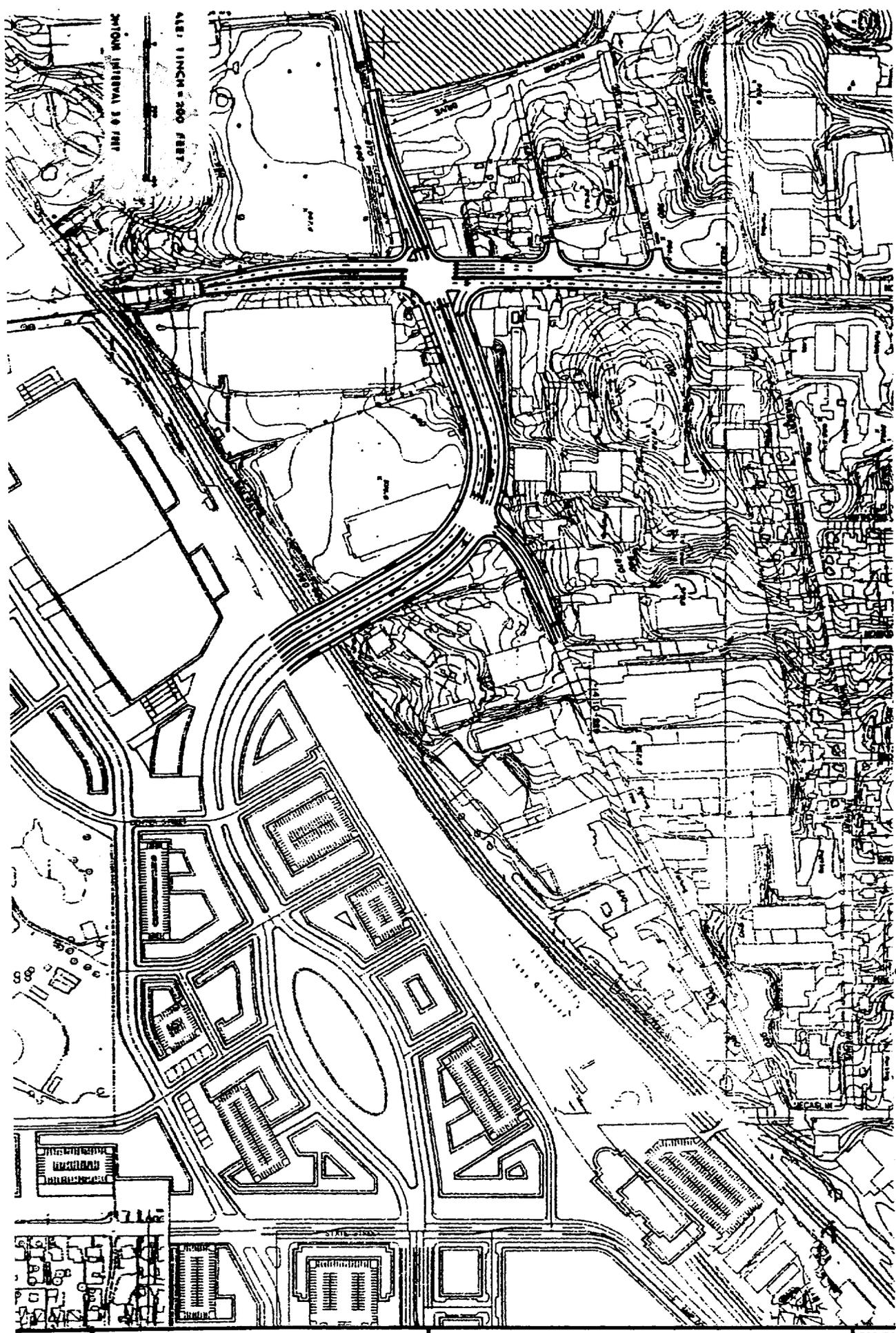
This Agreement approved by
the City Counsel at a
meeting held at

ATTEST:

the ____ day of _____,
2____.

Treasurer

City Clerk

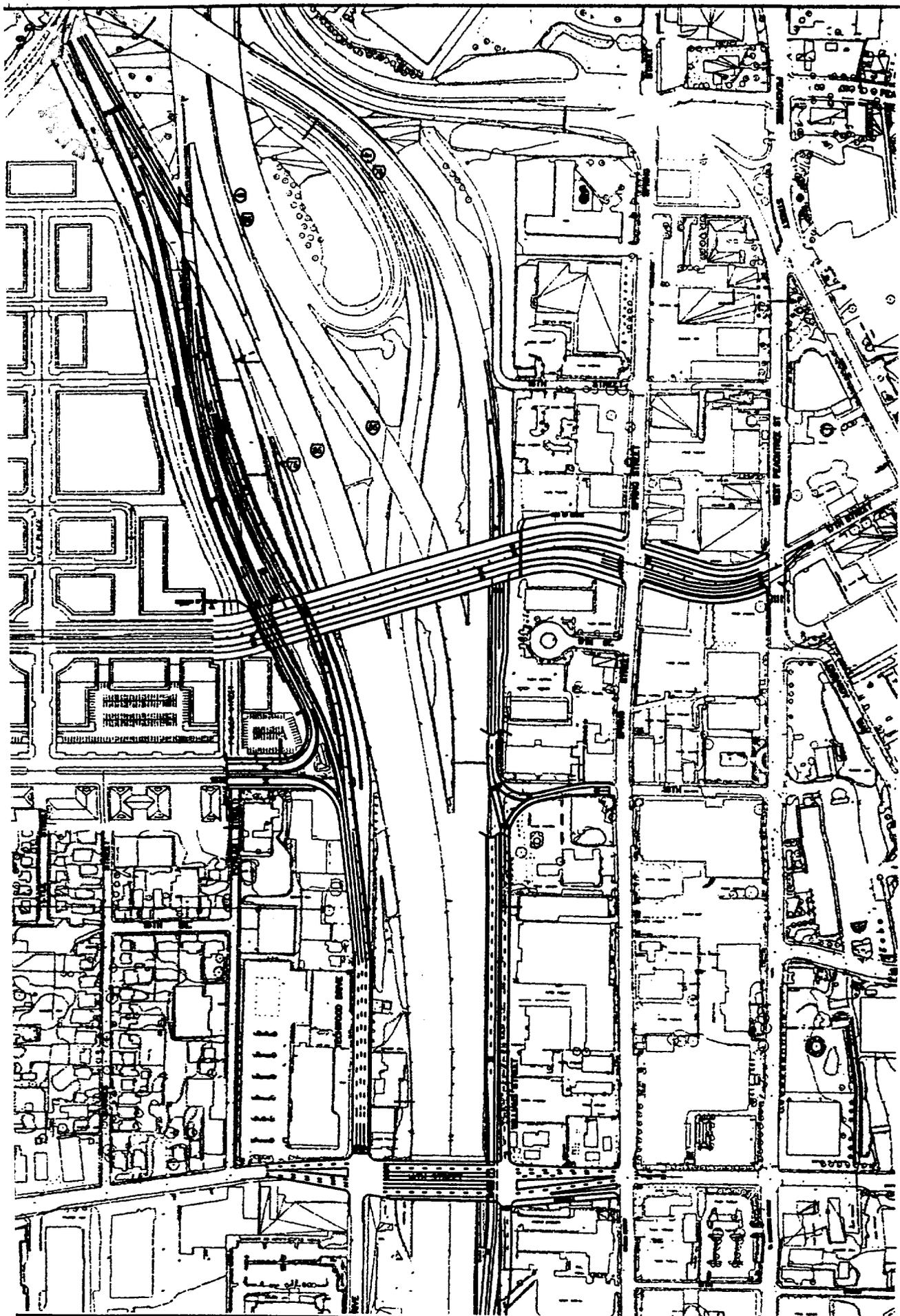


ATTACHMENT "A1"

17TH STREET INTERCHANGE
CONCEPT REPORT

17TH STREET CONCEPT
WESTERN PORTION

FIGURE



ATTACHMENT "A2"

RCS# 3209
10/15/01
5:14 PM

Atlanta City Council

Regular Session

01-R-1598

Local Govt. Lighting Project with GA
DOT for 17th Street Extension & Ramps
ADOPT AS AMEND

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

NV McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

01-R-1598

01-R -1598

(Do Not Write Above This Line)

A RESOLUTION BY:
TRANSPORTATION COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LOCAL GOVERNMENT LIGHTING PROJECT AGREEMENT BETWEEN THE CITY OF ATLANTA AND THE GEORGIA DEPARTMENT OF TRANSPORTATION FOR LIGHTING IMPROVEMENTS AT THE 17TH STREET EXTENSION AND RAMPS; AND FOR OTHER PURPOSES.

ADOPTED BY
OCT 15 2001

COUNCIL

As Amended

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

Committee TRANSPORTATION
Date 10/10/01
Chair _____
Referred to _____

FINAL COUNCIL ACTION
 2nd 1st & 2nd 3rd
Readings
 Consent V Vote RC Vote

Committee TRANSPORTATION
Date 10/10/01
Chair CESW
Action: _____
Fav, Adv, Hold (see rev. side) _____
Other: NO RESOLUTION
Members John M. Stages, Richard M. Jones, Charles H. Hester, Willie M. Hall, June
Refer To _____

Committee _____
Date _____
Chair _____
Action: _____
Fav, Adv, Hold (see rev. side) _____
Other: _____
Members _____
Refer To _____

Committee _____
Date _____
Chair _____
Action: _____
Fav, Adv, Hold (see rev. side) _____
Other: _____
Members _____
Refer To _____

Committee _____
Date _____
Chair _____
Action: _____
Fav, Adv, Hold (see rev. side) _____
Other: _____
Members _____
Refer To _____

CERTIFIED

CERTIFIED
OCT 15 2001
ATLANTA CITY CLERK

CERTIFIED
OCT 15 2001

[Signature]
DEPUTY MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
OCT 23 2001
[Signature]
MAYOR